

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive, #200,
Rancho Cordova, California 95670-6114

**NOTICE OF PROPOSED SETTLEMENT
ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R5-2007-0513**

for
DR HORTON—WESTERN PACIFIC SERIES
CHEYENNE AT BROWNS VALLEY
SOLANO COUNTY

This Notice announces the proposed settlement of Administrative Civil Liability Complaint No. R5-2006-0520, the terms of which are set forth in the above-listed Administrative Civil Liability Order. The Order proposes to assess an administrative civil liability in the amount of \$200,000. Alternatively, the Discharger may satisfy the Order by (1) paying an administrative civil liability of \$50,000; (2) paying \$140,000 to Solano Land Trust to fund the Lindsey Slough Water Monitoring and Restoration Project and invasive weed control at Jepson Prairie Reserve Supplemental Environmental Projects, and (3) paying \$10,000 to Stormwater Compliance Specialists, Inc. to fund a compliance workshop for area builders and subcontractors. This Notice also announces the beginning of a 30-day public review period on the proposed settlement. Comments on the proposed settlement must be submitted in writing and must be received by the Central Valley Regional Water Quality Control Board **no later than 5:00 p.m. on 2 August 2007.**

DR Horton—Western Pacific Series (Discharger) is the owner and developer of the Cheyenne at Browns Valley Subdivision, a 120-acre construction project in Solano County. The Discharger operates the construction project pursuant to a permit to discharge storm water associated with construction activity. The permit was issued under the National Pollutant Discharge Elimination System (NPDES Permit No. CAS000002). Section 301 of the Clean Water Act and Section 13376 of the California Water Code prohibits discharge of pollutants to surface waters except in compliance with an NPDES permit.

On 18 August 2006, the Central Valley Regional Water Board's Executive Officer issued Administrative Civil Liability Complaint No. R5-2006-0520 ("Complaint") for certain alleged storm water violations at the Cheyenne at Browns Valley subdivision construction project in Solano County. Following issuance of the Complaint, the Discharger and the Executive Officer of the Regional Water Board conferred for the purpose of settling this matter. After arm's length negotiations, the parties agreed to a proposed settlement of the administrative civil liability matter for two hundred thousand dollars (\$200,000). Under the proposed settlement, the Discharger may comply with this Order by (1) paying an

administrative civil liability of \$50,000 to the State Water Pollution Cleanup and Abatement Account, (2) paying \$140,000 to Solano Land Trust to fund the Lindsey Slough Water Monitoring and Restoration Project and invasive weed control at Jepson Prairie Reserve Supplemental Environmental Projects, and (3) paying \$10,000 to Stormwater Compliance Specialists, Inc. to fund a compliance workshop for area builders and subcontractors.

The Discharger has waived its right to a hearing on Administrative Civil Liability Complaint No. R5-2006-0520, expressing its desire to settle the matter.

As required by the Clean Water Act, the public has an opportunity to comment on the tentative settlement prior to the Executive Officer's determination about whether to approve the settlement. A copy of the settlement documents and the files concerning the enforcement action are available at the Regional Water Board offices. The settlement documents are also posted on the Regional Water Board's website at www.waterboards.ca.gov/centralvalley/. You may contact Sue McConnell to arrange to review the files. Written comments on the settlement must be received by the Regional Water Board no **later than 5:00 p.m. on 2 August 2007**. Comments should be directed to:

Sue McConnell
California Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive, #220
Rancho Cordova, CA 95670-6114
(916) 464-4798

Please bring the above information to the attention of anyone you know who would be interested in this matter.

William Marshall
Storm Water Program Manager